

## Policy: 2.4 – Harassment and Bullying

Policy Version	Author	Signed off by and Date:	Review Date
Version 1 - Updated Apr 17	NH		Apr 2018
Version 2 Sept 2019	NH		Sept 2020

### Introduction

Bridge Training Ltd (BTL) recognises that all employees and students have a right to work in an environment in which the dignity of individuals is respected and which is free from harassment and bullying. It is committed to eliminating intimidation in any form. We believe bullying is harmful to all involved, not just the bullied, and can lead to self-doubt, lack of confidence, low self-esteem, depression, anxiety, self-harm and sometimes even suicide.

Bullying of other students is not acceptable at BTL and it is everyone's responsibility to prevent it happening. Everybody at BTL is entitled to receive and enjoy all the experiences of BTL life in an atmosphere which emphasises care with challenge.

The Policy applies to harassment on the grounds of disability, gender, marital status, sexual orientation, age, creed, colour, race or ethnic origin.

Harassment breaches BTL's Equality Policy and it is classified as a serious offence which may result in summary dismissal under the Disciplinary Procedure.

The Policy applies to all staff employed by BTL and students.

### Aim

Through this policy we aim:

- To raise the self-esteem of all BTL students and to create an atmosphere of mutual respect
- To fulfil our responsibility for a duty of care to young people and employees
- To raise attainment and aspiration
- To reduce absence
- To ensure that all students and staff understand their role in reducing incidents of bullying and supporting those involved in it
- To improve relationships

### Harassment

Men and women have a right not to be subjected to harassment at work or work in an intimidating environment. Legally, it is defined as occurring where an individual engages in unwanted conduct which has the purpose or effect of violating another person's dignity, or creating an intimidating, hostile, degrading or offensive environment for that person. Please note that an individual may feel harassed or offended even when the inappropriate comment or conduct is not made towards or about the individual personally.

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Harassment can take a variety of different forms and can be written, verbal, nonverbal or transmitted electronically. Examples include repeatedly ignoring a colleague through to subjecting him or her to unwelcome attention, ridicule or humiliation. More extreme forms of harassment and bullying include intimidation, physical threats or violence. Harassment may consist of a single incident or a series of incidents and may not always be directed to or be about the person who makes a complaint of harassment. Harassment may not always be intentional but is always unacceptable whether intentional or not.

All forms of harassment intentional or not are covered by this policy and procedure. The following are examples of unacceptable behaviour. This list is not exhaustive:

- Sexual harassment can be physical conduct ranging from the invasion of personal space and/or inappropriate touching to serious assault. It can include questions or remarks about a person's sex life, comments or ridicule about appearance or dress, unwanted sexual advances, sexually explicit remarks or innuendoes and/or pressure for sexual favours, displays or distribution of pornographic or sexually suggestive material, including graffiti, posters or other offensive material.
- Racial harassment may include obscene gestures or jokes about, or gratuitous references to, a person's colour, race, religion or nationality. It can include deliberate exclusion for reasons related to race. It can also include offensive remarks about dress, culture or customs which have the effect of ridiculing or undermining an individual or fostering hatred and/or prejudice towards individuals or particular ethnic groups. It also includes inappropriate displays of posters, or other offensive material. In some circumstances it can include pressure to participate in political/religious groups.
- Harassment of people with disabilities can take the form of individuals being ignored, disparaged, ridiculed or denied opportunities because of mistaken assumptions about their capabilities. In such cases, disability, rather than ability, has become the focus of attention. Such harassment can include inappropriate personal remarks, jokes or inappropriate references to an individual's appearance.
- Harassment on the grounds of actual or perceived sexual orientation can include homophobic remarks or jokes (whether spoken, written or sent by email), offensive comments relating to a person's sexuality, threats to disclose a person's sexuality to others or offensive behaviour/abuse relating to HIV or AIDS status.
- Harassment on the grounds of religious belief can include jokes or insults about items of clothing, religious artefacts, religious beliefs or rituals.
- Harassment on the grounds of gender reassignment can include jokes, name calling, humiliation, exclusion or being singled out for different treatment.
- Harassment on the grounds of age can include jokes or insults about a person's age or singling a person out for different treatment as a result of their age.

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### **Bullying:**

“The repetitive, intentional hurting of one person or group by another person or group, where the relationship involves an imbalance of power. Bullying can be physical, verbal or psychological. It can happen face-to-face or through cyberspace.” It can also be described as the exercise of power over another person through persistent, negative acts or behaviour that undermines an individual, personally and/or professionally. Bullying can be threatening, insulting, abusive, disparaging or intimidating behaviour placing inappropriate pressure on the recipient which can affect self-confidence and self-esteem or has the effect of isolating or excluding them. Bullying can take the form of persistent shouting, sarcasm or derogatory remarks; it can be constant criticism, without constructive support, to assist a member of staff to address performance concerns; it may also include cyber bullying, i.e. using the internet and related technologies to harm another person in a deliberate, repeated and hostile manner.

The distinction between good management and bullying is that, whilst the former is intended to support and develop potential and to promote desired work performance, the latter is intended to hurt, intimidate and undermine the individual.

### **Victimisation:**

BTL will not tolerate victimisation against a member of staff or student because he or she has made, or intends to make, a complaint or allegation, or has given, or intends to give, assistance and/or evidence in an investigation. BTL will also not tolerate victimisation or discrimination against members of staff or student who have left; for example, by refusing to give a reference because the person has made a genuine complaint.

### **Responsibilities**

BTL is legally responsible for ensuring that harassment or victimisation on the grounds of someone’s race, sex, sexual orientation, religious belief [including lack of belief], gender reassignment, disability or age does not take place at work. Harassment can be a breach of criminal law, specifically the Criminal Justice and Public Order Act 1994 and the Prevention of Harassment Act 1997.

In addition, under the Health and Safety at Work Act 1974, BTL is responsible for the health, safety and welfare at work of all members of staff, and is liable for the actions of its members of staff at work and in any work-related setting outside BTL, e.g. trips, work-related social events, etc.

The Senior Management Team and Advisory Board have a duty to implement this policy, and to make every effort to ensure that harassment, bullying or victimisation does not occur, particularly in the areas of work for which they are responsible. Any concerns relating to harassment, bullying or victimisation must be investigated promptly and effectively. It is not acceptable for any manager to ignore unacceptable behaviour.

All members of staff must comply with, and demonstrate active commitment to, this

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policy. Staff are required to respect the age, beliefs, convictions and orientation of others and not behave in ways which cause offence, or which in any way could be considered to be harassment, bullying or victimisation. Each member of staff has a responsibility to ensure colleagues, clients, students, visitors, etc are treated with dignity and respect.

All members of staff should discourage harassment, bullying or victimisation by making it clear that they find such behaviour unacceptable and by supporting colleagues who suffer such treatment and who are considering making a formal complaint. Staff should alert a senior manager to any incident of harassment, bullying or victimisation to enable BTL to deal with the matter.

### **Guidelines**

#### **Guidelines for Students**

- Be careful about teasing people or making personal remarks. If you think they might not find your comments funny, then don't say them
- Give sympathy and support to other students who may be bullied
- Try to include people in your group who you know don't have friends to be with (take responsibility) Don't stand and watch - fetch help
- Show that you and your friends disapprove
- If you know of bullying tell your tutor. The victim may be too scared or lonely to tell.

#### **Guidelines for Staff**

- Be aware of areas where bullying is likely to happen
- Keep an eye out for changes in behaviour in students you teach that could indicate that they are being bullied
- Challenge all bullying behaviour immediately - don't let things go because it hasn't happened before
- Give opportunities in class for students to practise social skills by working with a variety of different people
- Make it clear to students that bullying is an unacceptable behaviour and support them in developing more appropriate ways of dealing with others.
- Foster a supportive atmosphere based on mutual respect where all individuals are valued for who they are.

#### **Guidelines for Parents/carers**

- Keep an eye out for changes in behaviour that may indicate your child is being bullied
- Ask your child about their day when they get home and encourage them to tell you if they are unhappy in any way
- Monitor use of new technologies (mobile phones/ internet/ social networking sites, etc)
- Encourage your child to mix with a variety of other students
- Make it clear that bullying is always unacceptable

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- Talk through with your child the ways in which students can help to stop bullying and what to do if they are being bullied
- Work with your child to raise their self-esteem and help them to develop respect for others
- Work in partnership with BTL to encourage the building of strong relationships

### **How to deal with Bullying and/or Harassment**

Guidelines for Students - if you are being bullied:

- Try not to show that you are upset
- Try to ignore the bully (remember they want to upset you and silence might leave them disappointed)
- Walk confidently even if you don't feel that way inside
- Try to be assertive - look and sound confident
- If you are in danger, get away or draw someone's attention to what is going on (for example, by making a loud noise)
- Tell someone as soon as possible (a teacher you trust, a friend, your parents, an older student)

Victims should always tell their parents/carers, a member of staff, or someone else who will report the bullying for them.

Guidelines for Staff - All members of staff should:

- Be willing to listen to all students who tell you they wish to report bullying
- Take their concerns seriously and explain to them what will happen next
- Support students in writing statements of what has happened
- Report all concerns (accompanied by statements where appropriate)
- Collect written statements from all students who were involved in or witnessed the bullying incident(s) including the victim and bully
- Reassure the victim(s) that they are not to blame and that they will be safe. □ Inform parents of victim and bully of what has happened
- Keep a written record of all incidents of bullying and ensure they are stored in the personal files of all students involved
- Record on PICS

### **Guidelines for Parents**

Contact BTL immediately if you are concerned that they are involved in bullying and/or harassment in any way.

### **Procedure for dealing with Harassment and Bullying**

An employee or student who feels that he/she is being subjected to harassment or bullying may attempt to resolve the matter informally in the first instance. In some cases, it may be possible and sufficient for him/her to explain clearly to the person(s) engaged in the unwanted activities that the behaviour is unwelcome, that it offends or makes him/her uncomfortable.

If at the initial informal discussion stage, the circumstances are too difficult or

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embarrassing to approach the harasser/bully alone, the complainant may wish to be accompanied by a friend or colleague;

The complainant may wish to write a letter to the harasser/bully (research has shown this to be very effective);

The complainant should keep a record of any incidents, detailing when, where, what occurred, and witnesses (if any);

In some cases, victims of harassment or bullying may not be sufficiently confident to tell the harasser that his or her behaviour is unacceptable. BTL emphasises therefore that staff and students **are not required** to approach the harasser/bully in an attempt to resolve the problem informally and are entitled to report the matter immediately if they so wish.

Where the steps outlined above are unsuccessful or inappropriate, the complainant should raise the matter informally and in confidence with his/her manager and/or tutor. Alternatively, the matter may be raised with the HR, Head of Education or any senior manager (if felt necessary this could be of the same sex as the complainant).

If the complaint relates to the conduct of the complainant's manager, the complainant may choose to discuss the matter with HR.

The Manager or HR will discuss the matter with the complainant and agree a course of action. The complainant may be accompanied by a representative or colleague at these meetings. The alleged harasser/bully will also have the right to state their version of events to the manager and to also be accompanied by a representative or colleague.

The complainant must be assured that he/she will not be discriminated against or victimised for raising the complaint. Confidentiality will be observed throughout and the need for any disclosure of the details of the case will be discussed and agreed.

At any stage of the process the complainant, the manager dealing with the complaint or the accused may feel that they need the help of an independent person before deciding on the best course of action. BTL will provide a network of trained persons who can give confidential advice and assistance, including:

- advising on the nature of harassment/bullying
- offering guidance on resolving harassment/bullying problems

These individuals will generally be employees of the BTL trained in harassment and bullying matters, however BTL will also maintain an individual who is external to the Company should that be more appropriate for the individual who requires assistance.

If the situation cannot be resolved informally then the complainant has the right to

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pursue his or her complaint formally via the BTL or Students Grievance Procedure.

Where management consider that there may be evidence of harassment/bullying, they may consider it appropriate to undertake a full investigation of the circumstances. In this case a manager not connected with the department involved, or an individual external to BTL will be commissioned to undertake this investigation. Best practice in relation to confidentiality will be maintained during this investigation; and both the complainant and alleged harasser will have the opportunity to have their say. The investigator will also interview and take statements from any appropriate witnesses to the alleged harassment.

Where there is evidence that harassment/bullying has occurred, prompt and corrective action will be taken, including disciplinary action where appropriate. Harassment and Bullying is a serious offence which may result in summary dismissal.

### **Procedure for Dealing with Complaints from Students**

Any complaint or allegation from a student relating to harassing or bullying behaviour by a member of BTLs staff will be dealt with under this Harassment and Bullying policy.

Should a member of staff wish to make a complaint against a student, he or she should first raise the issue with his or her Manager so that the necessary support and guidance can be given, and so that a decision can be made on whether to refer the complaint so that it is dealt with under the students' disciplinary code.